



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#19/Remarks
2/18/04
a.l.

PATENT APPLICATION

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Semyon B. Mizikovsky

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Technology Center 2600

Attorney Docket No.: Ayabe 3-7-26

Group Art Unit: 2684

Serial No.: 09/541,301

Examiner: W. Cumming

Filed: April 3, 2000

Title: A Method For Transmitting A Displayable Message To A Short Message Entity
In More Than One Data Package.

Honorable Assistant Commissioner for Patents
Washington, DC 20231

PRELIMINARY REMARKS

Dear Sir,

These preliminary remarks accompany a request for continued examination (RCE) in the above-referenced case. On January 4th, 2002 Applicants filed an Information Disclosure Statement (IDS). Thereafter Applicants received an Office Action dated March 22, 2002. However, the Office Action did not contain 1) a copy of the IDS indicating whether the reference cited therein was considered by the Examiner nor 2) an indication from the Examiner whether the prior art in the related earlier application Serial No. 08/572,481 has been reviewed as required by M.P.E.P. § 2001.06(b). On June 24th, 2002 Applicants sent an amendment replying to the Office Action and stating that the Applicants have not received a copy of the IDS nor an indication from the Examiner whether the prior art in the related earlier application Serial No. 08/572,481 has been reviewed. Applicants thereafter received a Notice of Allowance Dated September 16th, 2002. The Notice of Allowance did not contain a copy of the IDS indicating whether the reference cited therein was considered by the Examiner. As such, Applicants have no evidence as to whether or not the references were considered. Applicants, believe, and have received no indication from the Office to the contrary, that the IDS filed on January 4, 2002 was correctly filed and should have been considered by the Office. The Notice of Allowance also did not contain an indication from the Examiner whether the prior art in the related earlier application Serial No. 08/572,481 has been reviewed. As stated in § 2001.06(b) "no separate citation of the

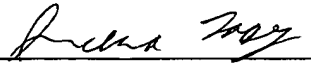
same prior art need be made in the later application," and therefore these reference should have been considered by the Office.

Applicants are therefore filing this RCE in order to ensure that a correct file history exists for this patent application and that the file history accurately reflects that all references have been considered by the Examiner. As such, Applicants are filing herewith for consideration an IDS containing the reference filed in the IDS filed January 4th, 2002 and the references cited by either the Applicants or the Examiner in the parent case. Applicants are also citing in this IDS several additional references.

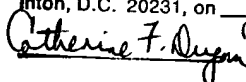
Since the claims currently pending in this application have previously been examined and allowed in the parent application, applicants request allowance of all pending claims. Applicants also request that the Examiner initial the cited references listed on the enclosed IDS and return that list with the next communication. In view of the history of this application, applicants respectfully request early consideration of this Application.

If there are any outstanding issues, the Examiner is invited to call applicants' attorney at 908-582-2188 to discuss this application.

Respectfully submitted,
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Lucent Technologies Inc.
Docket Administrator (Room 3J-219)
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Date: December 9, 2002

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: ASST. Commissioner of Patents and Trademarks, Washington, D.C. 20231, on 12/10/02 (Date of Deposit)
 Dec. 12, 2002
Date